

**REMARKS**

The drawings are objected to because they do not show every feature of the invention specified in the claims.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter namely the phrase "except for unintended frictional effects, exclusively" in claims 2 and 14.

Claims 2, 4, 6, 8, 10, 12 and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claims 2, 4, 6, 8, 10, 12 and 14 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, 1<sup>st</sup> paragraph, set forth in this Office Action.

The Examiner maintains objections to the application based essentially on her understanding that the check valves act as throttling devices in the present invention.

The Examiner misunderstands the purpose of check valves in general, and check valves 43 and 44 of the present invention in particular.

The check valve 43 must allow fluid to flow into the compression damping structure, and thereafter must prevent the fluid from simply escaping back through it, so the fluid may be controlled by that compression damping structure during the compression damping movement of that shock absorber. An "ideal" check valve would have no resistance to flow in one direction, and infinite resistance to flow in the other direction. Such ideal check valves do not exist in practice. In this example, there is in practice no ideal check valve which would have zero resistance to flow during the shock absorber expansion damping

SHOWA CORPORATION

10/736150

Page 8 of 8

movement, and would thereafter present infinite resistance to flow in the other direction during compression damping movement of that shock absorber.

The same applies to the check valve 44 during the expansion damping movement of the other shock absorber.

The limitation "except for unintended frictional effects" is simply an acknowledgement of the well-recognized function of a check valve in the fluid flow direction opposite to the checking direction. This limitation has been clarified to describe the check valve of the present invention as one which exhibits non-ideal characteristics.

If the check valves 43 and 44 did not allow free flow of fluid in one direction, they would not be check valves, but instead would be classified as throttling valves or some other kind of fluid control valve other than a check valve.

The Examiner's attention is directed to the description, p.3, line 27 through p.4 line 9. There the function of the check valve is clearly described, providing support for the present claims.

The check valve on the compression side "closes during compression and opens during expansion". Open during compression for an ideal valve would mean open with a complete absence of frictional or throttling effects on the fluid passing through in that direction. However, in the real world of non-ideal valves, frictional effects and throttling effects, however slight, exist even in the open direction. But, the fact is that such effects are certainly "unintended frictional effects".

The same applies to the expansion side check valve.

SHOWA CORPORATION

10/736150

Page 9 of 9

The Examiner misinterprets the drawings if she believes the check valves function not as check valves, but as throttling valves. Such an understanding would also be contradictory to the written description of these valves in the body of the application. The sections of the written disclosure she points to which she believes describe the check valves to be throttling valves simply does not describe the check valve characteristics to be as she believes.

Attorney for applicant suggests an interview to discuss these points, with a view towards eliminating any remaining confusion or misunderstandings in this regard.

For the foregoing reasons, it is asserted that the drawings are in no need of amendment.

SHOWA CORPORATION

10/736150

Page 10 of 10

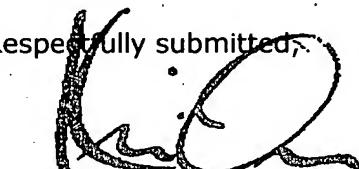
**CONCLUSION**

Applicant asserts that all of the objections have been obviated, and now respectfully requests withdrawal of those objections and an allowance of this application.

**PETITION FOR AN EXTENSION OF THE TERM**

Applicant hereby petitions for a one-month extension of the term for reply from 14 December 2007 to 14 January 2008. Submitted herewith is a check for \$60 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to Deposit Account Number 04-2219, referencing our Docket Number 13712.

Respectfully submitted,

  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on 14 January 2008.

  
Beata Bukrapova